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SUBJECT: SPLM TO DIPLOMATS: NCP MUST ACT ON OUR DEMANDS

¶1. (SBU) Summary: SPLM leaders, principally Deputy Chairman Malik Agar, told members of the diplomatic community that the SPLM believed that they had no choice but to suspend ministerial level participation in the GoNU in order to pressure the NCP to act on SPLM core issues. The SPLM blamed NCP obstructionist tactics that undermined progress in implementing the CPA for the SPLM suspension. The SPLM wants NCP action on SPLM core issues, and to be treated as equal partners, in order to resolve the situation. End Summary.

SIMMERING INACTION  
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¶2. (SBU) On October 23, Sudanese People's Liberation Movement (SPLM) leaders, including Deputy Chairman Malik Agar, National Assembly Deputy Speaker Atem Garang, and Kosti Manibe told members of the diplomatic community the reasons for the SPLM's ministerial level suspension of participation in the Government of National Unity (GoNU).

¶3. (SBU) The situation leading up to the SPLM's action was not one day in the making, said Malik. He said that even as the Comprehensive Peace Agreement (CPA) was concluded, as the SPLM attempted to work within the accords, it became evident that one of the CPA's weaknesses included no specific mechanism to resolve issues. Malik said that the SPLM tried to work with the National Congress Party (NCP) on a host of issues with only "a heap of resolutions" as a result. "Practically speaking, the letter and the spirit of the CPA have not been followed."

ENOUGH IS ENOUGH  
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¶4. (SBU) Malik said that despite the inaction, "the SPLM continued to work with the NCP, but meetings were really only PR." He said that after one and half years, with little movement, the SPLM were faced with two choices: "continued dialogue until something happens," or say "enough is enough."

NCP SEEN AS OBSTRUCTIONIST  
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¶5. (SBU) As an example of the NCP's method of obstruction, Malik said that of the eleven CPA commissions, "six of them are not functioning. They lack either funding, human resources or facilities in order to conduct their operations." The NCP would claim progress in fulfilling the CPA with the establishment of eleven commissions, but we say "yes, but look how they are functioning."

¶6. (SBU) Malik charged that the NCP has held up progress on a number of CPA issues. "We asked the NCP two and half months ago to reshuffle the cabinet, as is the right of the First Vice President, but they did do not anything. There are only seven laws that have been enacted. The Attorney General is sitting on the others. In two National Assembly sessions, nothing has been done. We want the laws

tabled."

¶17. (SBU) The NCP seems to have "predetermined" how far the CPA should progress, with significant negative consequences, Malik asserted. For example, the census must be adequately funded, as wealth calculations depend on its outcome, which in turn leads to social development, he said. He added that the census form needs urgent attention in particular in regards to ethnicity information. "We have to get the census right the first time, we can't do it twice."

#### SELECTED CORE ISSUES MADE UP SPLM DEMANDS

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¶18. (SBU) The SPLM developed a limited list of demands that made up "selected core issues," said Malik, so that any NCP action would result in some meaningful progress on these core issues. For example, he said that the SPLM selected the Abeyi issue as a demand for its economic importance.

¶19. (SBU) Malik said that when the SPLM raised an Abeyi compromise with the NCP, the NCP pretended it was not a problem that needs to be addressed. "That is when we in the SPLM knew it was a problem issue for them." He added that to resolve the problem, "the SPLM offered to provide a fixed schedule of payments, from the Abeyi oil revenues, so whether the South secedes or not, the north gets a share. But they repeatedly declined to discuss the issue."

¶10. (SBU) As for oil revenue transparency, Malik conceded that the south does get 50 percent of the oil revenues, but "no one knows what constitutes the 100 percent. We want to see the number of barrels, have access to information such as recovery costs. We have eyes, but there is a lack of NCP political will to share the information."

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#### MALIK: WE WANT TO BE EQUAL PARTNERS

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¶11. (SBU) Malik said he remained committed to the implementation of the CPA and to the NCP-SPLM partnership, "but as equal partners." As for secession, Malik denied that the SPLM acted as a possible pretext for a premature separation. "No one is looking for a premature separation, what we want is implementation of the CPA."

#### NEXT STEPS: MORE AGGRESSIVE INTERNATIONAL ACTION

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¶12. (SBU) Asked about next steps, Manibe said that the SPLM cannot implement the CPA alone. He appealed to the diplomatic community to be more aggressive in their involvement, particularly in the Assessment and Evaluation Commission (AEC). He said that the NCP has a "phobia" about third parties, adding without the involvement of the international community, there is no other way other than a return to conflict.

¶13. (SBU) Manibe said that the AEC is supposed to be an independent body. However, "some Sudanese have terrorized the foreigners, with the result that some of the foreigners act as if they are not full members." This reduces the commission to two parties, who are incapable of moving things forward, said Manibe.

#### NCP MUST ACT ON OUR DEMANDS BEFORE WE RETURN TO THE CABINET

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¶14. (SBU) Asked what it would take for the ministers to return to the cabinet, the SPLM leaders responded that, "All of the issues have been talked to death. We need to see action." Malik said that the SPLM actions are changeable but the SPLM ministers will not go back unless something happens.

#### CLASHES SO FAR ARE LOCALIZED AND CONTAINED

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¶15. (SBU) Manibe said that there have been clashes between SAF and

SPLA forces but so far they have been localized and contained. "In these instances, we did not instruct our forces to take action, but the clashes could obviously lead to more incidents," said Manibe. He stressed that these localized incidents are "not a declaration of war." Atem Garang added, "We can not think of war, as there is no benefit to us."

¶16. (SBU) Malik added, "we will try to control our soldiers, but our control has its limitations. For generals on the ground, protection of their men is paramount. We will do our best not to go to war."

#### POSSIBLE OPENING

¶17. (SBU) Deputy Speaker Atem Garang said, "The SPLM was thinking of not attending the October 23 opening session of the National Assembly, but we attended the session to hear the President's speech." If he was serious about implementing the CPA he would form a committee of the GoNU to look into resolving the current situation, said Garang.

¶18. (SBU) Note: Shortly before the end of the meeting, SPLM Deputy Secretary General Yasir Arman arrived and commented on the recent

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SPLM sponsored conference in Juba saying that more work needs to be done with the Darfur rebels movement. End Note.

¶19. (SBU) Comment: The SPLM's frustration with NCP obstructions and inaction was evident during the course of this two hour long meeting attended by representatives from the U.S., Canada, Norway, the EU, and Italy. Based on this meeting, the SPLM appears resolved to suspend participation in the GoNU until the SPLM acts. While the discussion of potential clashes between SPLA and SAF seems ominous, the tone was sober and matter-of-fact. Malik summed up the possible recourse to a return to open conflict, "We were warriors, now we are politicians." Post takes heart in the discussion about possible openings that NCP might take advantage of to resolve the situation.

#### POWERS